

Applicant(s): H. Roh
Application No.: 10/716,390
Examiner: M. Thomson

Remarks

Claims 1, 3-6, and 9-16 are pending in the application and are presented for the Examiner's review and consideration. Claims 1, 3-6 have been amended and claims 2, 7, and 8 have been cancelled. Applicant believes the claim amendments, cancellations, and accompanying remarks herein serve to clarify the present invention and are independent of patentability. No new matter has been added.

§112 Claim Rejections

Claims 1-16 were rejected under 35 U.S.C. §112, first paragraph, because the specification, while enabling for a short repeater rifle, does not provide enablement for the short repeater rifle ALWAYS having a center of gravity in front of the trigger guard. Applicant respectfully traverses the examiners rejection and submits that the specification provides enablement for a short repeater rifle having a center of gravity located in front of the trigger guard.

Claims 2, 7, and 8 have been cancelled rendering the rejection to these claims moot.

Thus the invention is based on the task of creating a short repeater rifle, for which these disadvantages should not appear at all, but are at least reduced. (¶[0004]). This can be achieved by configuring essential structural elements so that their mass is set farther forwards towards the barrel opening. (¶[0005]).

According to a preferred embodiment of the invention, a weapon base can be provided as a carrier for the barrel and for the locking system, and the barrel is connected detachably to the weapon base in front of the cartridge receiver in the shooting direction. (¶[0006]). Through a weapon base independent of the stock and because the barrel is connected to the stock, instead of the conventional direct connection to the locking system lying behind the cartridge receiver, not only is the center of gravity of the short repeater rifle moved forwards, but there is also better shooting performance due to reduced barrel vibration and a simpler barrel exchange. (Id.)

According to another preferred embodiment of the invention, a mount for the targeting device can be mounted detachably on the barrel in the region of the connection between the

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barrel and the weapon base. (¶[0011]). Through such a configuration, the center of gravity of the short repeater rifle is shifted farther forward. (Id.). Advantageously, the trigger assembly with the trigger is arranged in front of the magazine in the shooting direction. (¶[0012]). Therefore, likewise a single or an additional displacement of the center of gravity of the short repeater rifle is achieved. (Id.)

According to another special embodiment of the invention, the drive of the firing mechanism can be arranged in front of the magazine in the shooting direction. Therefore, a "correction" of the firing mechanism is achieved, which produces a single or an additional displacement of the center of gravity of the short repeater rifle. (¶[0014]).

The invention is based on the knowledge that by moving the center of gravity of the short repeater rifle in front of the trigger guard in the shooting direction, weight at the rear can be eliminated and a properly balanced rifle with a nearly unchanged weight and short dimensions can be achieved. (¶[0021]). Furthermore, specified by the large arrow P, the center of gravity of the short repeater rifle 10 is located in front of the trigger guard 18 in the shooting direction. (¶[0030]).

As such, the specification discloses the relative positioning of each the elements in order achieve a short repeater rifle having a center of gravity in front of the trigger guard. Accordingly, Applicant submits that the specification reasonably provides enablement to a person skilled in the art to which it pertains. In light of the foregoing, Applicant requests reconsideration and withdrawal of the §112 rejection.

§102 Claim Rejections

Claims 1-12 and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,932,148 to Barrett ("Barrett"). For the reasons set forth below, Applicant respectfully submits that this rejection should be withdrawn.

As noted above, claims 2, 7, and 8 have been cancelled rendering the rejection to these claims moot.

Barrett discloses a shoulder-fired semi-automatic rifle 10 made in accordance with this invention including an elongated housing 11 and a recoiling barrel 12 projecting from

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the front end portion of the housing 11. (Col. 2, Ins. 31-34). The barrel 12 disclosed in FIG. 4 includes a rear barrel extension 14 slidably mounted in the bushing 15 fixed on the inner wall of the housing 11. (Col. 2, Ins. 35-37). Trigger hand grip 40 depending from the housing 11 in the vicinity of the center of gravity and toward the forward end portion of the housing 11. (Col. 3, Ins. 18-21). Fixed immediately in front of the hand grip 40 is a trigger 41 pivotally mounted about the trigger pivot pin 42. (Col. 3, Ins. 21-23).

Referring to FIG. 4, the trigger 41 is mounted below the bushing 15. The bushing 15 is positioned between the barrel extension 14 and the barrel 12. As such, the trigger is mounted to the housing behind an end portion of the barrel. Furthermore, as shown in FIG. 2, the center of gravity is located behind the handgrip 40 and the trigger 41.

In contrast, the present invention discloses a short repeater rifle with a barrel, which has on one of its ends a cartridge receiver; a locking system; a trigger assembly with a trigger and a trigger guard; a firing mechanism; a magazine; and a targeting device. (¶[0001]). The short repeater rifle 10 has a main stock 12, a magazine 14, a pistol handle 16, a trigger guard 18, a trigger 20, a forestock 22 with a ridged grip 24, a lever 26 that can be mounted on the right or left, and a barrel 28, on which there is a mount 30 and a targeting telescope 32. (¶[0030]). As specified by the large arrow P, the center of gravity of the short repeater rifle 10 is located in front of the trigger guard 18 in the shooting direction. (Id.) Additionally, referring to FIGS. 1 and 4, the trigger guard 18 and trigger 20 are mounted to the rifle in front of an end portion of the barrel 28 in the shooting direction.

As such, the present invention discloses a short repeater rifle having a center of gravity positioned in front of the trigger and trigger guard, where the trigger and trigger guard are positioned in front of an end portion of the barrel in a shooting direction. This is in contrast to Barrett, which discloses shoulder-fired semi-automatic rifle having a center of gravity positioned behind the trigger and trigger guard, as well as, the trigger and trigger guard being positioned behind an end portion of the barrel in the shooting direction.

Independent claim 1 recites, *inter alia*, a short repeater rifle including a barrel having first and second ends having a center of length interposed between the first and second ends, the first end including a cartridge receiver and a locking system. A trigger assembly including a trigger

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and a trigger guard is attachable to the short repeater rifle and is interposed between the first end and the center of length of the barrel. A firing mechanism is operably connected to the trigger assembly and interposed between the trigger assembly and the first end of the barrel. A magazine engagable with the short repeater rifle between the first end of the barrel and the firing mechanism. A weapon base detachably connected to the barrel between the trigger guard and the second end of the barrel. A targeting device detachably connected to the barrel proximal to the weapon base, wherein the weapon base and target assembly are detachably connected to the barrel such that a center of gravity of the short repeater rifle lies in front of the trigger guard in a shooting direction.

In light of the foregoing, independent claim 1 is respectfully submitted to be patentable over Barrett. As claims 3-6, 9-12, and 14 depend from claim 1 these dependent claims necessarily include all the elements of their base claim. Accordingly, Applicant respectfully submits that the dependent claims are allowable over Barrett at least for the same reasons.

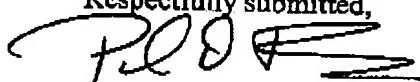
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Conclusion

In light of the foregoing remarks, this application is now in condition for allowance and early passage of this case to issue is respectfully requested. If any questions remain regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

No fee is believed to be due. However, please charge any required fee (or credit any overpayments of fees) to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7100-X03-045).

Respectfully submitted,



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